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MEMO ENDORSED

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October 24, 2023

VIA ECF

Hon. Barbara C. Moses
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Thompson v. The City of New York*
Index No. 21 CV 10371 (VEC)(BCM)

Dear Judge Moses:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel. I write to respectfully provide an update to the Court concerning Plaintiff's whereabouts and his inability to appear for the Status Conference calendared for October 25, 2023 at 10:00 am. Because Plaintiff is currently incarcerated, counsel was unable to confer with him prior to filing this letter.

On October 23, 2023 afternoon, Defendant's counsel was notified by e-mail from DOCCS personnel Michelle Brown at Mid-State Correctional Facility that "This [Plaintiff] is currently at ulster cf even though owned by Midstate cf and will not be able to take the call. I have forwarded this to ulster cf in hopes they can accommodate it."

Today, Defendant's counsel reached out to Ulster Correctional Facility and was informed by DOCCS personnel Diana Taborda that Plaintiff is actually currently in transit to Ulster Correctional Facility and stated that "There is no ability to complete a legal call with him at our facility. My suggestion is to check the Incarcerated Look-up tomorrow to note his location <https://nysdoocslookup.doccs.ny.gov/> and then contact them."

As of today, Plaintiff has still returned no responses to Defendant's discovery requests over numerous attempts by counsel reminding him of his obligations in this litigation. Accordingly, in light of the fact that Plaintiff is in transit and has not updated the Court or counsel

as to his current whereabouts notwithstanding that he is aware of such obligations and for the reasons set forth more fully in the Defendant's letter-motion (ECF No. 84) to adjourn the October 25, 2023 status conference, Defendants now respectfully request that this conference be adjourned by 60 days to December 27, 2023.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/

Bryn M. Ritchie
Assistant Corporation Counsel

Application GRANTED. The telephonic status conference scheduled for October 25, 2023 is ADJOURNED to **November 13, 2023 at 11:00 a.m.** The parties shall dial (888) 557-8511 and enter the access code 7746387 a few minutes before the scheduled time. An updated order to the warden/superintendent of plaintiff's correctional facility will issue when the identity of that facility is confirmed. SO ORDERED.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 84.



Barbara Moses
United States Magistrate Judge
October 24, 2023